

MINUTES
EAU CLAIRE CITY COUNCIL LEGISLATIVE SESSION

Tuesday, January 12, 2010

City Council Chamber

4:00 p.m.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Council President Kincaid called the meeting to order. The following members were present: Council Members Larry Balow, David Duax, Thomas Kemp, Kerry Kincaid, David Klinkhammer, Berlye Middleton, Jackie Pavelski, Bob Von Haden, Thomas Vue, and Dana Wachs. Absent: Council Member Andrew Werthmann.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for selected items of routine business on Tuesday, January 12, 2010. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Kemp "to adopt the consent resolution". Upon request of council members Item No. 6, Approval of Bids, was removed from the consent agenda for a separate vote. The Council voted on the motion approving the remainder of the consent agenda. Said motion passed by unanimous vote.

Council Member Werthmann arrived in Council Chamber.

BIDS

The Council considered resolutions approving the bids and proposals for Procurement No. 2009-45, Dehumidification System for Hobbs Akervik Rink, and Procurement No. 2009-70, City Council Chambers Audio Visual Equipment Replacement. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Balow "to adopt the resolutions". Thereupon a motion was offered by Council Member Balow and seconded by Council Member Middleton "to postpone consideration of Procurement No. 2009-70 for 30 days." After discussion, said motion was withdrawn by the mover and seconder. Thereupon a motion was offered by Council Member Von Haden "to add the following sentence to the resolution: 'City staff shall contact Lewis Sound & Video Professionals regarding the possibility of incorporating LED technology / equipment into the bid if it is fiscally feasible'." Said motion was accepted by the seconder and incorporated into the resolution. The Council then voted to approve Procurement No. 2009-45 and Procurement 2009-70 as amended. Said resolutions were adopted by the following vote: Aye: Council Members Balow, Kincaid, Klinkhammer, Middleton, Pavelski, Von Haden, Vue, Wachs, and Werthmann. Nay: Council Members Duax and Kemp.

LICENSES

The City Council considered a resolution granting a Temporary Class B Fermented Malt Beverage license to Regis High School, C.A.S.E., Joe Eisenhuth, president, on January 23, 2010, at 2100 Fenwick, for Regis High School First Annual Regis Night Out. Thereupon a motion was offered by Council Member Wachs and seconded by Council Member Pavelski "to adopt said

resolution”. Said motion passed by the following vote: Aye: Council Members Balow, Duax, Kemp, Kincaid, Klinkhammer, Middleton, Pavelski, Von Haden, Vue, and Wachs. Nay: Council Member Werthmann.

The Council considered a resolution granting a Temporary Class B Fermented Malt Beverage license to Eau Claire Rod & Gun Club, Doug Burrows, president, on March 19-21, 2010, at the Eau Claire Indoor Sports Center, 3456 Craig Rd. for a Wisconsin Sport Show. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Vue “to adopt said resolution”. Said motion passed by the following vote: Aye: Council Members Balow, Duax, Kemp, Kincaid, Klinkhammer, Middleton, Pavelski, Von Haden, Vue, and Wachs. Nay: Council Member Werthmann.

APPOINTMENTS

The City Council considered a resolution approving the following appointments to Boards, Commissions, and Committees:

Bicycle/Pedestrian Advisory Commission (three year terms to expire December 31, 2012)

Bob Eierman – reappointment

Walter Reid – reappointment

Libby Stupak – new appointment to

Derek Parr – new appointment

fill unexpired term to expire December 31, 2010

Landmarks Commission (three-year terms to expire December 31, 2012)

Carrie Ronnander – new appointment as historian representative

Katrinka J. Bourne – new appointment as architect representative

Barbara Lozar – new appointment to fill unexpired term to expire December 31, 2010

North Barstow Medical BID Board (three-year terms to expire December 31, 2012)

Bill Benedict – reappointment

John Kohlhepp – reappointment

Jason Manz – reappointment

Redevelopment Authority (five-year term to expire December 31, 2014)

Mike DeRosa – reappointment

Revolving Loan Fund Committee

Jim Mishefske – new appointment to fill unexpired term to expire June 30, 2011

South Barstow BID Board (three-year terms to expire December 31, 2012)

Mike Carlson – reappointment

Deb Foster – reappointment

Dan Goelzer – reappointment

Jill Jacobs – new appointment

Sandi Meinsen – new appointment to

John Mogensen – new appointment

fill unexpired term to expire December 31, 2011

Waterways and Parks Commission (three-year terms to expire December 31, 2012)

Gene Johnson – reappointment

Bob Schraufnagel – reappointment

Jeff Guettinger – new appointment

Zoning Board of Appeals (three-year terms to expire December 31, 2012)
Jeff DeGrave – reappointment Lonnie Kolar – reappointment
William Milne – new appointment to fill unexpired term to expire December 31, 2010

Housing Advisory Board

Merrill Lovvik – new appointment to fill unexpired term to expire April 30, 2011

Thereupon a motion was offered by Council Member Pavelski and seconded by Council Member Kemp “to adopt said resolution”. Said motion passed by unanimous vote.

CITY PROPERTY

The City Council considered a resolution authorizing the sale of the Locust Lane Shelter House to the Eau Claire School District. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Balow “to adopt said resolution”. Said motion passed by unanimous vote.

The Council considered a resolution authorizing an extension of the lease of land west of Jeffers Road and south of County Line Road for the Community Gardens. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Kemp “to adopt said resolution”. Said motion passed by unanimous vote.

LIBRARY GRANT

The City Council considered a resolution approving and appropriating a grant agreement and use-restriction easement between the City and the State of Wisconsin to assist with the cost of the renovation of the L.E. Phillips Memorial Public Library, and approving an appropriation of \$125,000 from said grant. Thereupon a motion was offered by Council Member Wachs and seconded by Council Member Werthmann “to adopt said resolution”. Said motion passed by unanimous vote.

Council President Kincaid handed the gavel to Vice President Duax and left the Chamber.

TRANSIT

The Council considered a resolution authorizing the City Manager to execute the 2010 Federal Transit Administration Section 5307 Supplemental Agreement between the Cities of Eau Claire and Chippewa Falls. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Werthmann “to adopt said resolution”. Said motion passed by unanimous vote.

Council President Kincaid returned to the Chamber and accepted the gavel back from Vice President Duax.

The City Council considered a resolution awarding a contract to Seon Design, Inc. to furnish digital security camera systems and DVRs for fourteen transit buses under the American Recovery and Reinvestment Act (ARRA). Thereupon a motion was offered by Council Member

Pavelski and seconded by Council Member Von Haden “to adopt said resolution”. Said motion passed by the following vote: Aye: Council Members Balow, Duax, Kemp, Kincaid, Klinkhammer, Middleton, Pavelski, Von Haden, Vue, and Wachs. Nay: Council Member Werthmann.

Council Members Vue and Wachs left the Council Chamber.

ASPEN MEADOWS SUB-DIVISION

The City Council considered a resolution approving the Phase 1 Condo Plat for Aspen Meadows Condominium, located at the northwest corner of Jeffers Road and County Line Road, as shown on Planning File #P-1-10. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Middleton “to adopt said resolution”. Said motion passed by the following vote: Aye: Council Members Balow, Duax, Kemp, Kincaid, Klinkhammer, Middleton, Pavelski, and Von Haden. Nay: Council Member Werthmann.

Council Member Vue returned to the Council Chamber.

The Council considered a resolution approving a Certified Survey Map with right-of-way dedication for Aspen Ridge Drive in the Aspen Meadows Condo Plat as shown on File #CSM-1-10. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Balow “to adopt said resolution”. Said motion passed by unanimous vote.

Council Member Wachs returned to the Council Chamber.

The Council considered a resolution authorizing the City Manager to enter into a development agreement with John Scheppke for street and utility extensions within Aspen Meadows Phase 1. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Kemp “to adopt said resolution”. Said motion passed by unanimous vote.

The Council considered a resolution indicating the location of required sidewalk construction within Aspen Meadows Condominium Plat. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Klinkhammer “to adopt said resolution and map #2010-03C, indicating the locations where sidewalk will be required to be constructed”. Said motion passed by the following vote: Aye: Council Members Balow, Duax, Kincaid, Klinkhammer, Middleton, Pavelski, Von Haden, Vue, Wachs, and Werthmann. Nay: Council Member Kemp.

UTILITY EASEMENT – 1821 VINE STREET

The City Council considered a resolution accepting the conveyance of a new permanent utility easement crossing property at 1821 Vine Street. Thereupon a motion was offered by Council Member Vue and seconded by Council Member Duax “to adopt said resolution”. Said motion passed by unanimous vote.

The Council considered a resolution releasing a permanent utility easement crossing from 1970 at 1821 Vine Street. Thereupon a motion was offered by Council Member Middleton and seconded by Council Member Werthmann "to adopt said resolution". Said motion passed by unanimous vote.

COUNTY JUSTICE CENTER

The City Council considered a resolution regarding the potential County Justice Center sites identified by the County's Select Committee to Recommend Preferred Building Sites. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Wachs "to adopt said resolution". Council Members discussed the resolution. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Pavelski "to table consideration of said resolution". After further discussion, said motion to table consideration was withdrawn by the mover and seconder. Thereupon a motion was offered by Council Member Duax and seconded by Council Member Pavelski "to postpone consideration of said resolution for two weeks". Said motion to postpone passed by following vote: Aye: Council Members Duax, Middleton, Pavelski, Von Haden, Vue, and Werthmann. Nay: Council Members Balow, Kemp, Kincaid, Klinkhammer, and Wachs.

ZONING

The City Council considered an ordinance rezoning property at 917 Morningside Drive from C-2 to R-2 as shown on Planning File #Z-1459-10a. Thereupon a motion was offered by Council Member Balow and seconded by Council Member Klinkhammer "to adopt said ordinance". Said motion passed by unanimous vote.

The Council considered an ordinance rezoning properties at 1006 Essex Street, 2916 Seymour Road, and 2912 Seymour Road from C-2 to R-2 as shown on Planning File #Z-1459-10b. Thereupon a motion was offered by Council Member Kemp and seconded by Council Member Wachs "to adopt said ordinance". Said motion passed by unanimous vote.

The Council considered an ordinance rezoning properties at 3002 Seymour Road and 3006 Seymour Road from C-2 to R-2 as shown on Planning File #Z-1459-10c. Thereupon a motion was offered by Council Member Pavelski and seconded by Council Member Von Haden "to adopt said ordinance". Said motion passed by unanimous vote.

The Council considered an ordinance rezoning properties at 3110 Seymour Road, 1007 Malden Avenue, and 1009 Malden Avenue from C-2 to R-2 as shown on Planning File #Z-1459-10d. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Duax "to adopt said ordinance". Said motion passed by unanimous vote.

WATER STREET DISTRICT

The City Council considered an ordinance amending the General Development Plan for CBDP zoned properties for the Water Street Commercial District as shown on Planning File #Z-1460-10. Thereupon a motion was offered by Council Member Von Haden and seconded by Council

Member Vue “to postpone action until such time as a recommendation comes forward from the Plan Commission”. Said motion passed by unanimous vote.

ANNEXATION

The Council had first reading on an ordinance in accordance with Section 66.0217 Wisconsin Statutes, annexing to the City of Eau Claire and particularly to the 11th Assessment Ward, 1st Aldermanic District, that part of the SE ¼ of the SE ¼, of the NE ¼, of the NE ¼, located in Section 10-27-9, Town of Seymour, Eau Claire County, as shown on Planning Drawing No. 10-1A (Haselwander annexation petition, property north of LaSalle Street, at Black Avenue).

FLOOD PLAIN

The Council had first reading on an ordinance amending the Flood Plain Chapter of the Zoning Code to adopt the Flood Insurance Rate Maps for Chippewa County as shown on Planning File #Z-1462-10.

GENERAL DEVELOPMENT PLAN

The Council had first reading on an ordinance amending the General Development Plan for R-3P zoned property west of Black Avenue and north of the North Crossing to allow the Phase 5 multi-family development as shown on Planning File #Z-1413-10 Amd.

WATER STREET SIGN DISTRICT

The City Council had first reading on an ordinance amending the Water Street Sign District provisions of the Sign Code as shown on Planning File #Z-1461-10.

ADJOURNMENT

A motion was offered by Council Member Vue and seconded by Council Member Pavelski “that this meeting does now adjourn.” Said motion passed by unanimous voice vote.

Adjournment: January 12, 2010

Time: 6:28 p.m.

Kerry J. S. Kincaid, President

ATTEST:

Donna A. Austad, City Clerk